

1 Rule 69A. Seizure of property.

2 Unless otherwise directed by the writ, the officer shall seize property as follows:

3 (a) Debtor's preference. When there is more property than necessary to satisfy the amount
4 due, the officer shall seize such part of the property as the defendant may indicate. If the
5 defendant does not indicate a preference, the officer shall first seize personal property, and if
6 sufficient personal property cannot be found, then the officer shall seize real property.

7 (b) Real property. Real property shall be seized by filing the writ and a description of the
8 property with the county recorder and leaving the writ and description with an occupant of the
9 property. If there is no occupant of the property, the officer shall post the writ and description in
10 a conspicuous place on the property. If another person claims an interest in the real property, the
11 officer shall serve the writ and description on the other person.

12 (c) Personal property.

13 (c)(1) Farm products, as that term is defined in Utah Code Section 70A-9a-102, may be
14 seized by filing the writ and description of the property with the central filing system established
15 by Utah Code Section 70A-9a-320.

16 (c)(2) Securities shall be seized as provided in Utah Code Section 70A-8-111.

17 (c)(3) In the discretion of the officer, property of extraordinary size or bulk, property that
18 would be costly to take into custody or to store and property not capable of delivery may be
19 seized by serving the writ and a description of the property on the person holding the property.
20 The officer shall request of the person holding the property an affidavit describing the nature,
21 location and estimated value of the property.

22 (c)(4) Otherwise, personal property shall be seized by serving the writ and a description of
23 the property on the person holding the property and taking the property into custody.
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